

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CC. MEXICANO US, LLC,
 Plaintiff(s),

vs.

AERO II AVIATION, INC., et al.,
 Defendant(s).

Case No. 2:14-cv-00108-JCM-NJK
 ORDER

Pending before the Court are a motion to reopen discovery and a motion for leave to amend, filed by Defendants Aero II Aviation, Inc. and George Blood (“Moving Defendants”). Docket Nos. 161, 162. No later than noon on December 4, 2015, Moving Defendants shall file the following supplement.

First, Moving Defendants indicate that Defendant Aero II Aviation served Plaintiff with both requests for production and interrogatories. Docket No. 161 at 4. The Court has failed to find meaningful discussion of this discovery, and it appears Plaintiff disputes the contention that Defendant Aero II Aviation has propounded any discovery. *See* Docket No. 164 at 9 (“Defendant Aero has not propounded any written discovery”). As such, Moving Defendants shall file as an exhibit the requests for production and interrogatories they identified in the motion to reopen discovery, along with the proof of service evidencing that they were served on Plaintiff. To the extent no such discovery was served by Defendant Aero II Aviation, Moving Defendants shall file a statement so representing.

Second, Moving Defendants indicate that “Michael Infuso filed a motion to withdraw, citing his inability to handle this case in light of time constraints imposed in another action” as the basis for his

1 inability to continue representing Defendant Aero II Aviation in this case. *See* Docket No. 161 at 6. The
2 Court has located no such statement by Mr. Infuso in his motion to withdraw or his sworn declaration.
3 *See, e.g.*, Docket Nos. 105, 105-1. Instead, that motion and supporting declaration indicated that
4 Defendant Aero II Aviation failed to comply with its financial obligations to Mr. Infuso and failed to
5 communicate in the manner required for Mr. Infuso to effectively represent it. *See, e.g.*, Docket No. 105
6 at 3. As such, Moving Defendants shall provide a citation to the motion or the declaration supporting
7 their representation that Mr. Infuso cited his commitments in other matters as the basis for his
8 withdrawal, or shall file a statement acknowledging that Mr. Infuso did not cite that as a reason for his
9 withdrawal in this case.

10 This supplement is not a vehicle for adding any argument to the pending motions. Instead, the
11 text of the supplement shall be no longer than one sentence as to each of the above topics and may attach
12 only the discovery addressed above as an exhibit.

13 IT IS SO ORDERED.

14 DATED: December 2, 2015

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19 NANCY J. KOPPE
20 United States Magistrate Judge
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